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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the present application:

1. (PREVIOUSLY PRESENTED) A system for providing presence information of a calling party to a called party, said presence information indicating that said calling party is currently present at a telephone, said system comprising:
  - a private branch exchange (PBX) serving telephones of the calling and called parties;
  - a presence server connected to an information device of the calling party and detecting presence of the calling party;
  - a communications path between said PBX and said presence server, allowing presence information to be sent from said presence server to said PBX; and
  - a memory associating said presence information with a voice mail message.
2. (ORIGINAL) The system of claim 1, wherein said presence server comprises:
  - a presence detection module that can receive a presence indication from said information device of the

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calling party; and

an activity database that maintains availability

information regarding the calling party, wherein

said availability information is updated by said

presence detection module.

3. (currently amended) The system of claim [[3]] 1, wherein said presence server ~~further~~ comprises:

a presence detection module that can receive a presence indication from said information device of the calling party;

an activity database that maintains availability

information regarding the calling party, wherein

said availability information is updated by said

presence detection module and;

a timing module that measures the time elapsed since

[[a]] between the entrance of said activity

database. ~~last presence indication, is reset by~~

~~said presence detection module when said presence~~

~~detection module receives said presence indication~~

~~from the calling party, and updates said activity~~

~~database if not reset within a defined period.~~

4. (ORIGINAL) The system of claim 2, wherein said presence

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indication is generated explicitly by the calling party through a deliberate action to indicate presence of the calling party.

5. (ORIGINAL) The system of claim 1, wherein said PBX and said presence server are embodied as a single device.
6. (PREVIOUSLY PRESENTED) A voice messaging system, comprising:
  - means for receiving presence information about a calling party from an information device associated with said calling party, said presence information indicating that said calling party is currently present at a telephone of the calling party;
  - means for associating said presence information with a voice message left by said calling party; and
  - means for providing said presence information to a called party in connection with playback of said voice message.
7. (PREVIOUSLY PRESENTED) A method of using a voice mail message to provide availability information of a calling party to a called party, said availability information indicating whether (i) said calling party is currently present at a telephone and (ii) said telephone's status is

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available, said method comprising the following steps performed after the calling party has left a voice mail message for the called party:

- (a) receiving availability information regarding the calling party from a presence server; and
  - (b) including the availability information in the voice mail message.
8. (ORIGINAL) The method of claim 7, further comprising the following step, performed before step (a):
- (c) determining the presence of the calling party.
9. (ORIGINAL) The method of claim 8 wherein said step (c) comprises:
- i. detecting whether there has been activity on the part of the calling party within a defined period;
  - ii. when activity is detected within the defined period, indicating that the calling party is likely to be present; and
  - iii. when no activity has been detected within the defined period, indicating that the calling party is not likely to be present.
10. (PREVIOUSLY PRESENTED) The method of claim 9, wherein said step (i) comprises sensing use of an information device of

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the calling party.

11. (ORIGINAL) The method of claim 8, wherein said step (c) comprises detecting a deliberate action by the calling party, wherein the action explicitly indicates presence.

12. (ORIGINAL) The method of claim 7, further comprising the following step, performed before step (a):

(c) querying the presence server regarding the availability of the calling party.

13. (ORIGINAL) The method of claim 7, further comprising the following step, performed before step (a):

(c) associating the calling party with the voice mail message left by the calling party.

14. (PREVIOUSLY PRESENTED) A method for conveying presence information via voice mail, said presence information indicating that said calling party is currently present at a telephone of the calling party, said method comprising:

(a) receiving presence information about a calling party from an information device associated with the calling party; and

(b) associating the presence information with a voice mail message left by the calling party.

15. (ORIGINAL) The method of claim 14, wherein said step (b)

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comprises:

associating the presence information with the calling party so that the presence information is provided to a called party in connection with playback of the voice message.

16. (ORIGINAL) The method of claim 14, further comprising the following step, performed before said step (a):  
(c) querying the information device for presence information.
17. (CANCELED)
18. (ORIGINAL) The method of claim 14, wherein the presence information is received as a result of activity by the calling party.
19. (ORIGINAL) The method of claim 18, wherein the activity comprises a deliberate action by the calling party to explicitly indicate presence.
20. (CANCELED)
21. (CANCELED)
22. (PREVIOUSLY PRESENTED) A computer program product comprising a computer usable medium having computer readable program code means embodied in said medium for causing an application program to execute on a computer that provides

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availability information of a calling party to a called party through a voice mail message, said availability information indicating whether (i) said calling party is currently present at a telephone and (ii) said telephone's status is available, said computer readable program code means comprising:

first computer readable program code means for causing  
a private branch exchange (PBX) to receive  
availability information from a presence server;  
and

second computer readable program code means for causing  
the PBX to include the received availability  
information in the voice mail message.

23. (PREVIOUSLY PRESENTED) A computer program product comprising a computer usable medium having computer readable program code means embodied in said medium for causing an application program to execute on a computer that provides availability information of a calling party to a called party through a voice mail message, said computer readable means comprising:

first computer readable program code means for causing  
a private branch exchange (PBX) to receive

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availability information from a presence server;  
second computer readable program code means for causing  
the PBX to include the received availability  
information in the voice mail message; and  
third computer readable program code means for causing  
the PBX to query the presence server regarding the  
availability of the calling party.

24. (PREVIOUSLY PRESENTED) A computer program product comprising  
a computer usable medium having computer readable program  
code embodied in said medium for causing an application  
program to execute on a computer that provides availability  
information of a calling party to a called party through a  
voice mail message, said computer readable program code  
comprising:

first computer readable program code adapted to cause a  
private branch exchange (PBX) to receive  
availability information from a presence server;  
second computer readable program code adapted to cause  
the PBX to include the received availability  
information in the voice mail message; and  
third computer readable program code means adapted to  
cause the PBX to query the presence server



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regarding the availability of the calling party.

25. (CURRENTLY AMENDED) A method for conveying presence information via a voice mail message, said presence information indicating that ~~[[said]]~~a calling party is currently present at a telephone of the calling party, said method comprising:
- (a) querying an information device associated with the calling party for presence information in response to a called party requesting playback of the voice mail message;  
~~in response to the called party requesting playback of the voice message, querying the information device for presence information;~~
  - (b) receiving presence information about ~~[[a]]~~the calling party from ~~[[an]]~~said information device associated with the calling party; and
  - (c) associating the presence information with the calling party.
26. (NEW) The system of claim 3, wherein said presence indication is generated explicitly by the calling party through a deliberate action to indicate presence of the calling party.